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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,817	01/03/2001	Shunpei Yamazaki	12732-003001/US4564	9971
26171, 7590 06/07/2007 FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER KUMAR, SRILAKSHMI K	
			ART UNIT 2629	PAPER NUMBER
			MAIL DATE 06/07/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/752,817	YAMAZAKI ET AL.	
	Examiner	Art Unit	
	Srilakshmi K. Kumar	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-12, 18-22 and 29-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-12, 18-22, 29-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/2006; 4/2007</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The following office action is in response to the amendment filed March 15, 2007. Claims 5-12, 18-22, 29-53 are pending. Claim 5 has been amended. Claims 40-53 are newly added.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 49 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 49 recites the limitation of "a switching thin film transistor electrically connected to a gate electrode of *the transistor*". However, it unclear as to which transistor "the transistor" is referring. Examiner requests the applicant to clarify which transistor is being claimed. In order to further prosecution, Examiner will consider "the transistor" to mean "the current control thin film transistor".

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any

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evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 5, 7-10, 12, 18-20, 22-26, 28-31, 33-37, 39 and 40-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (US 6,265,833) in view of Ikeda et al (US 5,714,968) and further in view of Yamaguchi et al (US 6,853,083).

As to independent claim 5, Kim et al teach a display system comprising; a plurality of pixels; each of said plurality of pixels comprising at least an EL element (col. 1, lines 10-16, col. 9, lines 57-63); a sensor for obtaining an information signal of an environment (Fig. 1, item 1), a CPU for converting said information signal of the environment supplied from said sensor into a correction signal (Fig. 1, item 3), and a voltage changer for changing a corrected potential applied to the EL element based on said correction signal (Fig. 1, item 4); an EL driving power source connected to said voltage changer (Fig. 3). Kim et al do not disclose the details of the EL display device. Kim et al do not disclose wherein the EL element has a first electrode and a second electrode. Kim et al do not disclose wherein said voltage changer is electrically connected to the second electrode of the EL element via a switch nor wherein the first electrode of the EL element is electrically connected to a power supply line. Ikeda teaches wherein the EL element comprises a first electrode and a second electrode in Fig. 10, item 21. Ikeda teaches the voltage changer (34) is electrically connected to the second electrode of the EL element via a switch (22) (see figure 10). In Fig. 5, item 1, and col. 6, line 64-col. 7, line 12, Ikeda teaches wherein the first electrode of the EL element is electrically connected to a power supply line

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(25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the active EL matrix display details as illustrated by Ikeda when implementing the system items 4 and 5 of Kim et al because Kim et al lacks these specific manufacturing details directed towards the actual EL circuit within the display therefore one of ordinary skill would have been motivated to simply use Ikeda's active matrix to the display device of Kim because active matrix display device of Ikeda is capable of prolonging light emission of the light emitting elements, thereby protecting the user from having to view a display where the light flickers (col. 2, lines 7-13 of Ikeda). While Kim and Ikeda teach wherein the first electrode of the EL element is electrically connected to a power supply line, they fail to teach where the connection is via the transistor of the pixel including the EL element. Yamaguchi et al teach in Fig. 4, where the EL element (406) is electrically connected to a power supply line (Vdd) via the transistor (405) of the pixel including the EL element. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of the connection via the transistor of the pixel including the EL element as taught by Yamaguchi into the display system of Kim as modified by Ikeda as the connection enables controlling of the current applied to the EL elements (Yamaguchi col. 2, lines 30-35) and provides a TFT to be used in the display to prevent short circuit and disconnection in the EL display device in order to promote high reliability of the display device (Yamaguchi et al, col. 1, lines 54-61).

As to claim 7, the combination of Kim et al and Ikeda teaches a display system according to claim 5, further comprising, Kim et al disclose wherein said plurality of pixels, said sensor, said CPU and said voltage changer are formed on a same substrate (Fig. 1 illustrates all the

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claimed pads in one illustration it is obvious that they are capable of sharing a common substrate while enclosed above said common surface of an enclosure).

As to claim 8, the combination of Kim et al. and Ikeda teach a display system according to claim 5, further comprising, Kim et al disclose wherein said EL element comprises an organic material or an inorganic material (Fig. 1, item 5, col. 1, lines 10-15).

As to claims 9, 12, limitations of claims 5 and 10, Kim et al disclose wherein said display system is incorporated in one selected from the group consisting of a video camera, a digital camera, a head mount display, a car navigation system, a portable telephone, an image reproduction apparatus, a car audio equipment, and a personal computer (col. 10, lines 21-34 and further these specific uses of the display are viewed as merely being recitations directed towards an OBVIOUS INTENDED USE of the display).

As to claim 18, limitations of claims, 5 and 12, Kim et al do not disclose wherein an EL element comprising at least an EL layer between an anode and a cathode, one of said anode and said cathode being electrically connected to said active layer. Ikeda discloses wherein an EL element comprising at least an EL layer between an anode and a cathode, one of said anode and said cathode being electrically connected to said active layer in Figs. 12 and 16, col. 10, lines 33-col. 11, line 20. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of an EL element comprising at least an EL layer between an anode and a cathode, one of said anode and said cathode being electrically connected to said active layer as taught by Ikeda into the display system of Kim et al because active matrix display device of Ikeda is capable of prolonging light emission of the light emitting elements,

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thereby protecting the user from having to view a display where the light flickers (col. 2, lines 7-13 of Ikeda).

As to claim 19, 40 limitations of claim 13, and further comprising, Kim et al disclose wherein said sensor comprises a CCD or a photo diode (Fig. 1, item 1, an optical sensor responsive to light).

As to claims 20, 22, 29-31, 33, 35, 37 and 39, the combination of Kim et al and Ikeda were shown above to read on these limitations.

As to claims 25 and 36, Kim et al disclose an A/D converter interposed between said sensor and said CPU, and a D/A converter interposed between said CPU and said voltage changer (Fig. 1, the CPU controller uses A/D for it's input and D/A for its output while interacting with analog devices.)

As to claims 41-44, Kim teaches wherein the EL element comprises an organic material or an inorganic material (col. 1, lines 11-16).

As to claims 45-48, Yamaguchi et al teaches wherein the transistor is a current controlling thin film transistor (col. 2, lines 30-35).

As to claims 49-53, Ikeda teaches in Fig. 5 a switching thin film transistor (2) electrically connected to a gate electrode of the current control thin film transistor (3).

6. Claims 6, 11, 21, 32 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al in view of Ikeda and Yamaguchi as applied to claims 5, 10, 13, 18, 23, 29, and 34 above, and further in view of Poulton (US 5,702,323).

As to claims 6, 11, 21, 32 and 38, Kim et al and Ikeda do not teach wherein said information signal comprises a user's living body information. Poulton teaches wherein said

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information signal comprises a user's living body information (abstract, Fig. 5, item 230, col. 2, lines 48-57, col. 4, lines 3-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the optical sensor item 1 as illustrated by Kim to also keep track of body pads position as done by Poulton when implementing the system item 1 of Kim et al because this limitation is merely directed towards an OBVIOUS INTENDED USE, of the combination of Kim et al and Ikeda et al as illustrated by Poulton, and further, Poulton gives motivation in col. 1, lines 5-10 for modifying the use of the Kim item 1 which Poulton provided a further illustration of an additional "use" for the information given by an optical sensor.

Response to Arguments

7. Applicant's arguments with respect to claims 5-12, 18-22, 29-53 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srilakshmi K. Kumar whose telephone number is 571 272 7769.

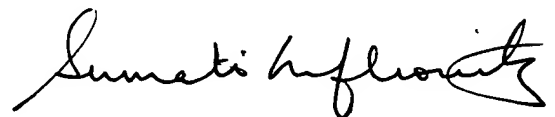
The examiner can normally be reached on 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sue Lefkowitz can be reached on 571 272 3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Srilakshmi K Kumar
Examiner
Art Unit 2629

SKK
May 25, 2007



SUMATI LEFKOWITZ
SUPERVISORY PATENT EXAMINER